

REMARKS

Claims 22-34, previously withdrawn due to the examiner's earlier restriction requirement, are now cancelled without prejudice. Applicant reserves the right to present claims 22-34 in a divisional application.

Claims 1-21 and 35-40 are currently pending in the application. New claim 41 has been added. Claims 1, 3-8, 35, and 38-40 have been amended to improve form. No new matter has been added.

Claims 8-21 are allowable subject to overcoming a double patenting rejection.

Reconsideration of the application in view of the above amendments and the following remarks is requested.

Claim Rejections – 35 USC § 102

Claims 1-7 and 35-39 were rejected as being anticipated by Rezag (U.S. Patent No. 5,074,496). Rezag was relied upon for disclosing an upper and lower cabin having a single gantry-lifting device between these cabins. The Rezag device transports trolleys between a passenger cabin and a storage cabin that is beneath the passenger cabin. Independent claims 1, 6, 7, and 35 have been amended to clarify that the system includes a device for moving objects between the passenger cabin and an overhead storage area. No new matter has been added. Rezag does not disclose, teach, or suggest a system for transporting objects to an overhead storage area. Claims 2-5 and 36-39 depend from amended claims 1 and 35, respectively, and are believed to be patentable over Rezag for the same reasons set forth above.

Claim Rejection – 35 USC § 103

Claim 40 was rejected as being obvious over Rezag in view of Sankrithi (U.S. Patent No. 6,305,643). Claim 40 depends from amended claim 35, and is believed patentable over Rezag for the reasons set forth above. Sankrithi does not overcome the deficiencies of Rezag. Sankrithi is cited only for disclosing a ladder within the shaft of the lift and gantry device such that one can enter the main galley cabin. However, Sankrithi does not disclose, teach, or suggest a method for moving objects between a main-deck passenger cabin and an overhead cabin, as set forth in claims 35 or 40. It is therefore submitted that none of the prior art, whether taken individually or in any permissible combination, discloses, teaches, or suggests the claimed method of entering an overhead storage area using a ladder.

Double Patenting Rejections

Claims 1-21 and 35-40 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-29 of U.S. Patent No. 6,971,608. Applicant submits herewith a terminal disclaimer in compliance with 37 CFR 1.321 to overcome this double patenting rejection.

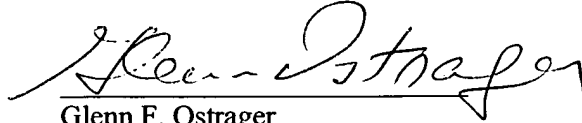
In view of the amendments above, Applicants respectfully submit that the present application is in condition for allowance. As such, the issuance of a Notice of Allowance is respectfully requested. Please charge any fees required, including terminal disclaimer fee under 37 CFR 1.20(d), or credit any overpayment in the filing of this amendment to deposit account 50-3195.

Application No. 10/709,777
Response to Office Action mailed January 3, 2006
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Respectfully submitted,

April 3, 2006

Date

A handwritten signature in cursive script, appearing to read "Glenn F. Ostrager", written over a horizontal line.

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